

Receipt

# ARNOLD & PORTER

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555 Twelfth Street, NW  
Washington, DC 20004-1206



May 10, 2002

Commissioner for Patents  
Washington, D.C. 20231

**Attn: Office of Initial Patent Examination's  
Customer Service Center**

Re: U.S. Patent Application No. 09/819,091  
Filed: February 16, 2000  
For: **Plant Genome Sequences and Uses Thereof**  
Inventors: Yongwei CAO *et al.*  
Atty. Docket: 16517.124

**RECEIVED**  
MAY 20 2002  
TECH CENTER 1600/2900

Sir:

The following documents are forwarded herewith for appropriate action by the  
U.S. Patent and Trademark Office (USPTO):

1. A Second Request for Corrected Filing Receipt;
2. A copy of the Filing Receipt with corrections indicated in red;
3. A copy of a Supplemental Preliminary Amendment, as originally filed on February 12, 2002, including a copy of the date stamped postcard;
4. A copy of a Response to Request for Corrected Filing Receipt issued by the USPTO on January 3, 2002; and
5. Return postcard.

Please stamp the attached postcard with the filing date of these documents and return it to our courier.

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Commissioner for Patents

May 10, 2002

Page 2

Applicants believe that no fees are due in connection with this request. However, if any charges are deemed appropriate, Applicants hereby authorize the Commissioner to charge any fee deficiency and/or credit any overpayment to our Deposit Account No. 50-1824, referencing matter number 16517.124.

Respectfully submitted,



David R. Marsh (Reg. No. 41,408)

June E. Cohan (Reg. No. 43,741)

Milan M. Vinnola (Reg. No. 45,979)

Attachments



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Yongwei CAO *et al.*

Appln. No.: 09/819,091

Filed: February 16, 2000

For: PLANT GENOME SEQUENCES  
AND USES THEREOF

Art Unit: 1645

Examiner: Not yet assigned

Atty. Docket: 16517.124

SECOND REQUEST FOR CORRECTED FILING RECEIPT

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Washington, D.C. 20231

*Attn: Office of Initial Patent Examination's Customer Service Center*

Sir:

Attached is a copy of the filing receipt issued by the U.S. Patent and Trademark Office (USPTO) in the above-referenced application on April 19, 2002, for which issuance of a corrected filing receipt is respectfully requested.

**Please make the following corrections to the section entitled "Domestic Priority data as claimed by applicant"**

**Please replace with the following new entry:**

**THIS APPLICATION IS A CONTINUATION-IN-PART OF U.S.  
APPLN NO. 09/443,025 11/12/1999, WHICH CLAIMS THE  
BENEFIT OF U.S. PROVISIONAL APPLN NOS. 60/108,420  
11/16/1998 AND 60/120,645 02/18/1999.**

In support of this correction, Applicants submit herewith a copy of a Supplemental Preliminary Amendment filed on February 12, 2002, providing the proper domestic priority data relationship (copy attached).

It is noted that Applicants filed a Request for Corrected Filing Receipt in the USPTO on December 31, 2001, requesting correction of the original filing receipt mailed December 13, 2001 in the above-identified application. However, on January 3, 2002, the USPTO issued a Response to Request for Corrected Filing Receipt (copy attached) indicating that "Continuity claimed under 35 USC 120 cannot be added to the Filing Receipt without supplying the relationship (i.e., continuation, divisional...)." It is submitted that the domestic priority data relationship has now been provided, and appropriate correction of the filing receipt is respectfully requested.

Applicants hereby authorize the Commissioner to charge any fees, and/or credit any overpayment to our Deposit Account No. 50-1824, referencing matter number 16517.124.

Respectfully submitted,



David R. Marsh (Reg. No. 41,408)  
June E. Cohan (Reg. No. 43,741)  
Milan M. Vinnola (Reg. No. 45,979)

Date: May 10, 2002

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**COPY**

## UNITED STATES PATENT AND TRADEMARK OFFICE

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 WASHINGTON, D.C. 20231  
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APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO.	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/819,091	02/16/2000	1645	870	16517.124		7	3

CONFIRMATION NO. 5196

28381

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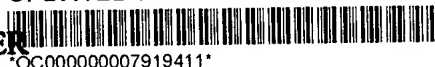
IP DOCKETING DEPARTMENT; RM 1126(b)

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UPDATED FILING RECEIPT

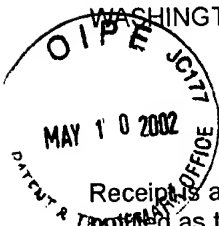


\*OC000000007919411\*

APR 25 2002

WASHINGTON, D.C.

Date Mailed: 04/19/2002



Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Yongwei Cao, Lexington, MA;

William E. Timberlake, Ocate, NM;

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## Domestic Priority data as claimed by applicant

~~THIS APPLN CLAIMS BENEFIT OF 60/108,420 11/16/1998~~~~AND CLAIMS BENEFIT OF 60/120,645 02/18/1999~~

THIS APPLICATION IS A CONTINUATION-IN-PART OF U.S. APPLN

 Foreign Applications NO. 09/443,025 11/12/1999, WHICH CLAIMS THE BENEFIT  
 OF U.S. PROVISIONAL APPLN NOS. 60/108,420 11/16/1998 AND  
 60/120,645 02/18/1999

If Required, Foreign Filing License Granted 08/16/2001

Projected Publication Date: Not Applicable, filed prior to November 29,2000

Non-Publication Request: No

Early Publication Request: No

## Title

Plant genome sequences and uses thereof

## Preliminary Class

435

**LICENSE FOR FOREIGN FILING UNDER**  
**Title 35, United States Code, Section 184**  
**Title 37, Code of Federal Regulations, 5.11 & 5.15**

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**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

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APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/819,091	02/16/2000	Yongwei Cao	16517.124

CONFIRMATION NO. 5196

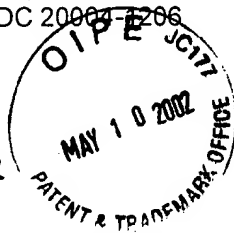
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## RESPONSE TO REQUEST FOR CORRECTED FILING RECEIPT

## Claims, Fees, Inventors and Continuity

In response to your request for a corrected Filing Receipt, the Office is unable to comply with your request because:

- ☐ The total number of claims appearing on the Filing Receipt does not include multiple dependent claims. The total fee appearing on the Filing Receipt includes the cost of multiple dependent claims that were present at the time the application was filed.
- ☐ The filing fee is correct. It includes the surcharge under 37 CFR 1.16(e) for filing an oath/declaration or basic filing fee after the application filing date.
- ☐ The inventor information may be truncated if the family name consists of more than 50 characters (letters and spaces combined) and if the given name consists of more than 50 characters (letters and spaces combined). The inventor's residence allows for up to 40 characters (letters and spaces combined).
- ☐ The docket number allows a maximum of 25 characters.
- ☒ Continuity claimed under 35 USC 120 cannot be added to the Filing Receipt without supplying the relationship (i.e. continuation, divisional...).
- ☐ Foreign priority will appear on the Filing Receipt in the following order:  
**Country, Application number, Filing date.**
- ☐ The person signing on behalf of the deceased inventor will be reflected on your Filing Receipt as the legal representative.
- ☐ Only one character per space is allowed. Therefore, punctuation which is usually placed above or below a letter, such as an umlaut (.), cannot be included on the Filing Receipt.

Any corrections that may need to be done to your Filing Receipt should be directed to:

Assistant Commissioner for Patents  
Office of Initial Patent Examination  
Customer Service Center  
Washington, DC 20231

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*A copy of this notice MUST be returned with the reply.*

R.B.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

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